

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

MONDIS TECHNOLOGY LTD.,  
HITACHI MAXELL, LTD., n/k/a  
MAXELL HOLDINGS, LTD., and  
MAXELL, LTD.

Plaintiffs,

v.

LG ELECTRONICS, INC. and  
LG ELECTRONICS U.S.A., INC.,

Defendants.

Civil Case No.: 2:15-cv-04431  
(SRC)(CLW)

*Electronically Filed*

**NOTICE OF APPEAL**

**PLAINTIFFS MONDIS TECHNOLOGY LTD., HITACHI MAXELL, LTD.  
N/K/A MAXELL HOLDINGS, LTD., AND MAXELL, LTD.'S  
NOTICE OF APPEAL**

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Ltd.*

Notice is hereby given that all Plaintiffs, including Mondis Technology Ltd., Hitachi Maxell, Ltd., n/k/a Maxell Holdings, Ltd., and Maxell, Ltd. (collectively “Mondis”), appeal in the above-named case to the United States Court of Appeals for the Federal Circuit. Mondis appeals any and all decisions, orders, rulings, finding, and/or conclusions adverse to Mondis including, but not limited to:

- D.I. 391, 432, 473: Order granting in-part and denying in-part LG’s motions *in limine* nos. 1-6 and granting in-part and denying in-part Mondis’s motions *in limine* nos. 1-4;
- D.I. 558: Order vacating the April 12, 2019 jury verdict awarding Mondis \$45 million in compensatory damages and denying Mondis’s motions for enhanced damages, attorneys’ fees, and pre- and post-judgment interest without prejudice as moot;
- D.I. 567: Order denying Mondis’s Motion for Reconsideration of the Court’s Order, D.I. 558;
- D.I. 607: Opinion and Order granting a new damages trial with restrictions on the evidence that could be presented at that trial;
- D.I. 644: Opinion and Order granting in part LG’s motion to strike supplemental expert reports from Mr. Lamm and Mr. Bratic;
- D.I. 657: Order Clarifying Motion to Strike Order (D.I. 644);

- D.I. 659: Order precluding Mondis from adding or changing any opinions within the stricken supplemental expert report of Mr. Bratic;
- D.I. 672: Opinion and Order granting in-part and denying-in part LG's motion to strike the supplemental expert report of Mr. Bratic;
- D.I. 689: Opinion and Order denying Mondis's motion for reconsideration of D.I. 672 and granting LG's motion for reconsideration to strike further portions of the supplemental expert report of Mr. Bratic;
- D.I. 706: Granting LG's motion to exclude the expert report and testimony of Mr. Bratic;
- D.I. 715: The Joint Final Pretrial Order for the damages retrial;
- D.I. 743: Orders provided to counsel during oral argument regarding restrictions on how to proceed before the jury at the damages retrial;
- D.I. 744: Opinion and order granting in-part and denying in-part Mondis's motions *in limine* and granting in-part and denying in-part LG's motions *in limine*;
- D.I. 786: Opinion denying Mondis's motions for enhanced damages and attorneys' fees and denying in-part Mondis's motions for pre- and post-judgment interest;

- D.I. 787: Order denying Mondis's motions for enhanced damages and attorneys' fees and denying in-part Mondis's motions for pre- and post-judgment interest;
- The Court's pretrial evidentiary rulings with respect to all trials;
- The Court's evidentiary rulings during each trial including, but not limited to, D.I. 451, 453, 457, 463, 464, 470, 474, 537-546, 757, 769-771;
- Any final judgment that is entered following the June 1, 2023 Opinion and Order (D.I. 786, 787) regarding the parties post-trial motions.

DATED: June 1, 2023

By: Brian M. Goldberg

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 1, 2023, I caused a true and correct copy of PLAINTIFFS' NOTICE OF APPEAL to be served on behalf of Plaintiffs Mondis Technology Ltd., Hitachi Maxell, Ltd., n/k/a Maxell Holdings, Ltd., and Maxell, Ltd. ("Plaintiffs" or "Mondis"), via the Court's CM/ECF system and via email on the following counsel of record:

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/s/ Brian M. Goldberg

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